

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

GARNEY CREWS,

Plaintiff,

-v-

No. 10 Civ. 5160 (LTS)(FM)

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

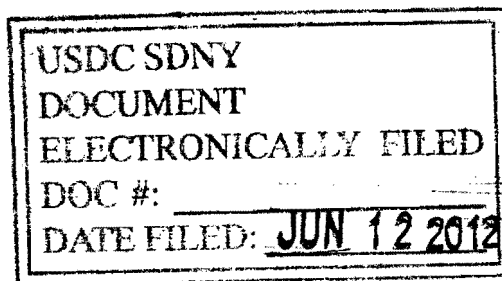
-----X

ORDER

The Court has reviewed Magistrate Judge Maas' March 27, 2012, Report and Recommendation (the "Report"), which recommends that Defendant's motion for judgment on the pleadings should be granted and that Plaintiff's cross-motion for judgment on the pleadings should be denied. Neither party filed objections to the Report.

In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C.A. § 636(b)(1)(C) (West 2006). In a case such as this one, where neither party files timely objections to the magistrate judge's report and recommendation, a district court need only determine that the recommendation is not clearly erroneous or contrary to the law. Arista Records LLC v. Doe, 604 F.3d 110, 117 (2d Cir. 2010); see Fed. R. Civ. P. 72.

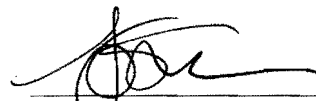
The Court has carefully reviewed Magistrate Judge Maas' thorough Report and finds no clear error. The Court therefore adopts the Report in its entirety for the reasons stated therein. Defendant's motion for judgment on the pleadings is granted and Plaintiff's cross-motion is denied.



The Clerk of the Court is respectfully requested to enter judgment accordingly
and close this case.

SO ORDERED.

Dated: New York, New York
June 12, 2012

A handwritten signature in black ink, appearing to read 'Laura Taylor Swain', is written over a horizontal line.

LAURA TAYLOR SWAIN
United States District Judge